

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>AUTHORS GUILD, et al.,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>OPENAI INC., et al.,</p> <p style="text-align: right;">Defendants.</p>

<p>JONATHAN ALTER, et al.,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>OPENAI INC., et al.,</p> <p style="text-align: right;">Defendants.</p>
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<p>NICHOLAS A. BASBANES, et al.,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>MICROSOFT CORPORATION, et al.,</p> <p style="text-align: right;">Defendants.</p>
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<p>THE NEW YORK TIMES COMPANY,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MICROSOFT CORPORATION, et al.,</p> <p style="text-align: right;">Defendants.</p>

Consolidated Cases:

No. 1:23-cv-08292-SHS-OTW

No. 1:23-cv-10211-SHS-OTW

No. 1:24-cv-00084-SHS-OTW

Related Case:

No. 1:23-cv-11195-SHS-OTW

**OPENAI DEFENDANTS’ POSITION
STATEMENT REGARDING
MOTION TO INTERVENE AND
DISMISS, STAY, OR TRANSFER**

Defendants OpenAI, Inc., OpenAI LP, OpenAI GP LLC, OpenAI LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation, LLC, OpenAI Holdings LLC, OpenAI Startup Fund I LP, OpenAI Startup Fund GP I LLC, and OpenAI Startup Fund Management LLC (together, “OpenAI Defendants”) hereby state that they do not take a position on the Motion to Intervene and

Dismiss, Stay or Transfer (ECF No. 71 in No. 1:23-cv-08292 and ECF No. 47 in No. 1:23-cv-11195) filed by the plaintiffs from the case *In re OpenAI ChatGPT Litigation*, No. 3:23-cv-03223 (N.D. Cal. 2023).

Dated: February 26, 2024

Respectfully submitted,

By: /s/ Andrew M. Gass

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